

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Esmeralda Cordea,

Plaintiff,

-against-

City of New York, New York City Police Department
Kings County District Attorney's Office and Detective
Ronald Pereira,

Defendants.

**STIPULATION AND ORDER
OF VOLUNTARY
DISMISSAL WITH
PREJUDICE PURSUANT TO
FRCP 41(a)(1)(A)(ii)**

20-CV-1137 (BMC)

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WHEREAS, plaintiff Esmeralda Cordea commenced this action by filing a Complaint on or about March 2, 2020, alleging that defendants violated plaintiff's federal civil rights and attendant New York State law rights; and

WHEREAS, defendants City of New York, New York City Police Department, Kings County District Attorney's Office, and Detective Ronald Pereira have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, plaintiff, by his attorney, Shaun G. White, now seeks to voluntarily dismiss this matter pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure on the terms set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. Plaintiff is voluntary dismissing the above-entitled action with prejudice and without fees, costs, or expenses to either side.

2. Plaintiff agrees not to initiate or pursue any claims or rights of action alleging a violation of plaintiff's civil rights and any and all related state law claims against defendants City of New York, New York City Police Department, Kings County District

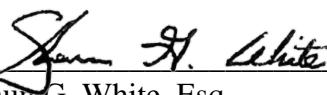
Attorney's Office, and Detective Ronald Pereira, their successors and assignees; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, arising out of the events and circumstances described in the complaint.

3. This Stipulation contains all the terms and conditions agreed upon by counsel for defendants and plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein; and

4. This Stipulation shall be binding upon the parties immediately upon signature and shall be submitted to the Court for entry as an Order.

Dated: New York, New York
August 17, 2020

SHAUN G. WHITE, ESQ.
SLATER, SGARLATO & CAPPELLO, P.C.
Attorney for Plaintiff
1298 Victory Boulevard
Staten Island, NY 10301

By: 

Shaun G. White, Esq.
Attorney for plaintiff

JAMES E. JOHNSON
Corporation Counsel of the
City of New York
*Attorney for Defendants City, NYPD,
KCDA, and Pereira*
100 Church Street
New York, NY 10007

By: 

W. KeAupuni Akina, Esq.
Senior Counsel

SO ORDERED:

HON. BRIAN M. COGAN
UNITED STATES DISTRICT JUDGE

Dated: _____, 2020